

AO 466A (Rev. 12/17) Waiver of Rule 5 & 5.1 Hearings (Complaint or Indictment)

UNITED STATES DISTRICT COURT

for the
District of NevadaCLERK US DISTRICT COURT
DISTRICT OF NEVADA

United States of America

v.

Negasi Zuberi

Defendant

BY: _____ DEPUTY

Case No. 3:23-mj-00092-CSD

Charging District's Case No. 1:23-MJ-117-CL

WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)

I understand that I have been charged in another district, the (name of other court)

District of Oregon

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing to determine whether there is probable cause to believe that an offense has been committed, to be held within 14 days of my first appearance if I am in custody and 21 days otherwise, unless I have been indicted beforehand.
- (5) a hearing on any motion by the government for detention;
- (6) request a transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- ☐ an identity hearing and production of the warrant.
- ☐ a preliminary hearing.
- ☐ a detention hearing.
- ☒ an identity hearing, production of the judgment, warrant, and warrant application, and any preliminary or detention hearing to which I may be entitled in this district. I request that my ~~preliminary hearing and/or~~ ~~detention hearing~~ be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 07/26/2023

Defendant's signature

Signature of defendant's attorney

Heather Fraley

Printed name of defendant's attorney

AO 94 (Rev. 06/09) Commitment to Another District

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UNITED STATES DISTRICT COURT

for the
District of Nevada
CLERK US DISTRICT COURT
DISTRICT OF NEVADA

United States of America

v.

NEGASI ZUBERI

Defendant

BY: _____ DEPUTY

Case No. 3:23-mj-00092-CSD

Charging District's

Case No. 1:23-mj-117-CL

COMMITMENT TO ANOTHER DISTRICT

The defendant has been ordered to appear in the _____ District of OREGON,
(if applicable) MEDFORD division. The defendant may need an interpreter for this language:

The defendant: ☐ will retain an attorney.
☒ is requesting court-appointed counsel.

The defendant remains in custody after the initial appearance.

IT IS ORDERED: The United States marshal must transport the defendant, together with a copy of this order, to the charging district and deliver the defendant to the United States marshal for that district, or to another officer authorized to receive the defendant. The marshal or officer in the charging district should immediately notify the United States attorney and the clerk of court for that district of the defendant's arrival so that further proceedings may be promptly scheduled. The clerk of this district must promptly transmit the papers and any bail to the charging district.

Date: 07/26/2023


Judge's signature

Craig S. Denney, U.S. Magistrate Judge

Printed name and title

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COUNSEL PARTIES OF RECORD	
JUL 26 2023	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

NEGASI ZUBERI,

Defendant.

CASE NO. 3:23-mj-92-CSD

ORDER

The court has reviewed the United States Marshal's Prisoner Restraint Request. Having reviewed the report, the court finds that the compelling governmental interest and the least restrictive means for maintaining security and order in the courtroom as it concerns this defendant is as follows:

_____ No Restraints.

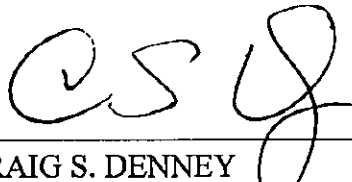
_____ Handcuffs.

_____ Leg Restraints.

 X Full Restraints.

IT IS SO ORDERED.

DATED: July 26, 2023.



 CRAIG S. DENNEY
 UNITED STATES MAGISTRATE JUDGE

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COUNSEL PARTIES OF RECORD	
JUL 26 2023	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
NEGASI ZUBERI,)
)
Defendant.)
_____)

CASE No. 3:23-mj-00092-CSD

ORDER APPOINTING COUNSEL

The individual named below, having testified under oath or having otherwise satisfied this Court that he/she: (1) is financially unable to employ counsel and (2) does not wish to waive counsel, and, because the interests of justice so require, the Court finds that the individual is indigent, therefore,

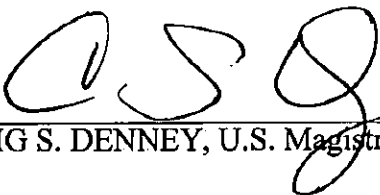
IT IS ORDERED that the Federal Public Defender for the District of Nevada is hereby appointed to represent the Defendant.

IT IS FURTHER ORDERED that the Clerk issue subpoenas upon oral request and submission of prepared subpoenas by the attorneys of the Office of the Federal Public Defender, unless said subpoenas are to be served outside the State of Nevada. The cost of process, fees and expenses of witnesses so subpoenaed shall be paid as witness(es) and the United States Marshall

1 shall provide such witness(es) subpoenaed advance funds for the purpose of travel within the
2 District of Nevada and subsistence. Any subpoenas served on behalf of the individual, the return
3 thereon to this Court shall be sealed, unless otherwise ordered.
4

5 **IT IS FURTHER ORDERED** that if counsel for the individual desires subpoenas to be
6 served outside the State of Nevada, further application pursuant to Federal Rules of Criminal
7 Procedure 17(b) shall be made to the Court, before the issuance of said subpoenas.

8 Dated this 26th day of July 2023.

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10 
11 _____
12 CRAIG S. DENNEY, U.S. Magistrate Judge
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COUNSEL/PARTIES OF RECORD	
JUL 26 2023	
CLERK'S DISTRICT COURT	
DISTRICT OF NEVADA	
BY:	DEPUTY

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA

vs.

Negasi Zuberi

DEFENDANT

CRIMINAL CASE NO. 3:23-mj-00092-CSD

**ASSERTION OF RIGHT TO BE PRESENT IN COURT UNSHACKLED
AND PRESERVATION OF APPELLATE RIGHTS**

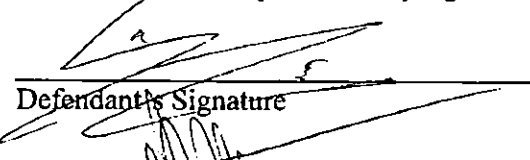
I assert my Fifth and Sixth Amendment Rights to be present in court without shackles, and further assert that appearing in court without shackles is necessary to maintain dignity and decorum in the judicial process.

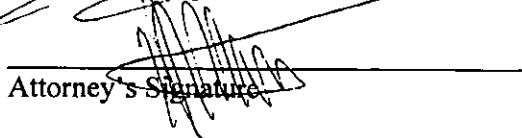
I submit that the Court cannot institute a policy requiring defendants be shackled in every case. Instead, before I may be shackled for any courtroom proceeding, the Court must make an individualized decision on the record that a specific security need particular to me exists.

To order shackling, the Court must make an individualized determination finding that shackling serves a compelling government purpose and the particular shackling method is the least restrictive means for maintaining security and order in the courtroom. In making this determination, the Court should consider whether evidence exists demonstrating: a history of disruptive courtroom behavior; attempts to escape from custody; assaults or attempted assaults while in custody; or a pattern of defiant behavior towards corrections officials and judicial authorities.

Until the Court makes an individualized shackling determination on the record, I request to appear in court without shackles. The shackling determination must be made in my and my counsel's presence, allowing my counsel to object and create an evidentiary record.

This Assertion serves as a standing objection of my right to appear in court unshackled at all future appearances, without the need for me to reassert these rights or re-object to the shackling. This Assertion also preserves my right to appeal the Court's shackling decisions.


Defendant's Signature


Attorney's Signature

7/26/2023

Date and time

Heather Fraley

Attorney Name, AFD
200 S. Virginia St., #340
Reno, NV 89501

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COUNSEL/PARTIES OF RECORD	
JUL 26 2023	
BY: _____	DEPUTY _____

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA

VS.

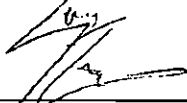
Negasi Zuberi

Defendant

: Crim. No. 3:23-mj-00092-CSD

ASSERTION OF FIFTH AND SIXTH AMENDMENT RIGHTS

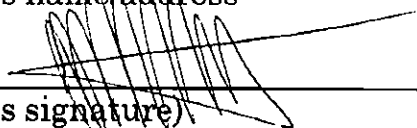
I, the above named defendant, hereby assert my Fifth and Sixth Amendment rights to remain silent and to have counsel present at any and all of my interactions with any local, state or federal government or its agents. I will not waive any of my constitutional rights except in the presence of counsel, and I do not want any local, state or federal government or its agents to contact me seeking my waiver of any rights unless my counsel is present.



(Defendant's signature)

Heather Fraley

(Attorney's name/address) 200 S. Virginia Street, Ste 340 Reno, NV 89501



(Attorney's signature)

Date: 7/26/2023

Time: 10:45 a.m. / p.m.